



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.06.2015

Coram

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

WEB COPY

W.P. (MD) .No.9791 of 2015

N.Nagaiya

:Petitioner

vs.

1.The Government of Tamil Nadu,
Rep.by its Principal Secretary to Finance Department,
Fort.St.George,
Chennai-600 009.

2.The Additional Director General of Prison,
Prisonary Department,
No,.1, Gandhi Irvin Road,
Egmore,
Chennai-600 008.

3.The Superintendent of Prison,
Trichy Central Prison,
Trichy .

: Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 07.03.2015 and thereby provide the pension benefits and monetary benefits to the petitioner by revising the scale of pay on par with the post of Sub-Inspector of Police, on the basis of the Government order in G.O.Ms.No.235(D1) Finance (Pay Cell) dated 01.06.2009, which is enclosed by the petitioner in his representation.

For Petitioner :Mr.A.Rajaram

For Respondents :Mr.S.Kumar,
Addl.Government Pleader.

O R D E R

The prayer in the Writ Petition is a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 07.03.2015 and thereby provide the pension benefits and monetary benefits to the petitioner by revising the scale of pay on par with the post of Sub-Inspector of Police, on the basis of the Government order in G.O.Ms.No.235 Finance (Pay Cell) dated 01.06.2009, which is enclosed by the petitioner in his representation.



2.Mr.S.Kumar, learned Additional Government Pleader takes notice for the respondents and by consent of both parties, the writ petition itself is taken up for final disposal.

3.The learned counsel appearing on behalf of the petitioner submitted that it would suffice if the representation of the petitioner is disposed of, on merits and in accordance with law, within a time frame to be fixed by this Court.

4. Though the prayer sought for as such cannot be granted and whether the G.O.Ms.No.235 Finance (Pay Cell) dated 01.06.2009 is applicable or not has got to be decided only by the second respondent, without expressing any opinion on the merits of the issue involved, the second respondent is directed to consider the representation of the petitioner dated 07.03.2015, and pass appropriate orders on the same and in accordance with law, within a period of two months from the date of receipt of a copy of this order, after affording the petitioner an opportunity of being heard. If on a specified date the petitioner does not appear for personal hearing, orders may be passed in accordance with law based on the available records after recording the absence of the Party/Parties.

5.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

TO

1.The Principal Secretary to Finance Department,
Fort.St.George,
Chennai-600 009.

2.The Additional Director General of Prison,
Prisonary Department,
No,.1, Gandhi Irvin Road,
Egmore,Chennai-600 008.

3.The Superintendent of Prison,
Trichy Central Prison,Trichy.
+lcc to MR.A.Rajaram, Advocate Sr.No.31972
gsr
AA/01.07.2015/ 2p- 5c/

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